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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,238	02/11/2004	Andrew F. Knight	011	9914
42067	7590	11/14/2007		
ANDREW F. KNIGHT 20 Carolina Avenue Ewing, NJ 08618			EXAMINER CHAWAN, SHEELA C	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 11/14/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/775,238

Applicant(s)

KNIGHT, ANDREW F.

Examiner

Sheela C. Chawan

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 3 and 5-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 and 22 is/are allowed.
- 6) ☒ Claim(s) 5, 18, 19, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 6-17, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment filed on 8/21/07 has been entered and made of record.

Claims 1- 2 and 4 is canceled.

Claims 22-24 are new claims

Claims 3, 5- 24 are pending in the application.

In response to applicant's submission of Replacement Drawings, filed on 8/21/07 the objections are withdrawn.

***Drawings***

2. The Examiner has approved drawings filed on 8/21/07.

***Response to Argument***

3. Applicant's arguments see page 8, of the remarks, filed 8/21/07, have been fully considered and are persuasive. The indicated allowability of claim 5-21 are withdrawn in view of the newly discovered reference(s) to Collins et al., (US.5, 099,435). Rejections based on the newly cited reference(s) follow.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 5,18,19, 23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Collins et al., (US.5, 099,435).

As to claim 5, Collins discloses a method for creating a dynamic handwriting font (abstract, column 1, lines 8-13), comprising:

- providing a first shaped character (fig 2 );
- providing a predetermined frequency distribution (column 6, lines 1-35); and
- randomly altering a shape of said first shaped character according at least partially to said frequency distribution (column 6, lines 1-16).

As to claim 18, Collins discloses a method for creating a dynamic handwriting font, comprising:

- measuring a dimension of a first dimensionable feature of each of a plurality of handwritten instances of a first shaped character, so as to create a plurality of dimensions choosing a first dimension for a first dimensionable feature of a first element of said first shaped character based at least on said randomly selected first number and a first frequency distribution provided for said first dimensionable feature (column 6, lines 57- 68, column 7, lines 1- 10, 20- 68, column 8, lines 1- 17, column 9, lines 16- 22, 30- 35, 45- 68); and

- creating an image of said first shaped character having said first element having said first dimensionable feature having said first dimension (column 6, lines 1-35).

As to claim 19, Collins discloses the method as in claim 18, further comprising randomly altering a shape of said first shaped character according at least partially to said first frequency distribution (column 6, lines 57- 68, column 7, lines 1- 10, 20- 68, column 8, lines 1- 17, column 9, lines 16- 22, 30- 35, 45- 68).

As to claims 23 and 24, Collins discloses a machine-readable storage medium storing executable code (column 5, lines 51- 62) and configured to cause a machine to perform the method as claimed in claim 3 (note, a digital font for use in generating a bitmap representation of a selected character from a digital representation of the outline of character, in a digital storage medium having a plurality of locations capable of storing digital information, column 4, lines 31- 55).

***Allowable Subject Matter***

5. Claims 6- 17, 20- 21, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Non of the prior art on record teaches or fairly suggests, randomly selecting a number, wherein said randomly altering comprises randomly altering said shape of said first shaped character according at least partially to both of said randomly selected number and said frequency distribution.

Claims 3 and 22 are allowed claims.


**Contact Information**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Thursday 7.30 - 6.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sheela Chawan  
Patent Examiner  
Group Art Unit 2624  
Nov 2, 2007

  
SHEELA CHAWAN  
PRIMARY EXAMINER